

Amendment
Serial No. 09/773,419

Docket No. PHGB000013

REMARKS

Reconsideration and allowance of all the pending claims are respectfully requested in light of the following remarks.

The Office Action dated July 20, 2004 has been carefully reviewed. Claims 1-8 are pending. Claim 8 has been amended to overcome the objection. Abstract also has been amended to comply with the Examiner's objection.

The specification has been objected to for lacking section headings. Applicants respectfully submit that 37 CFR §1.77(b) discloses a *suggested* format for the arrangement of the disclosure. Applicants respectfully submit that the present disclosure follows the suggested format where applicable. With regard to 37 CFR§1.77(c), which was not cited in the Office Action, Applicants respectfully submit that section headings are suggested but not required, as 37 CFR §1.77(c) clearly states the sections defined in paragraphs (b) (1) through (b) (11) "should" be preceded by a section heading. Applicants respectfully decline at this time to amend the disclosure to include same.

The drawings have been objected as they fail to show every feature of the invention specified in the claims. In particular, the claimed feature "selector means for identifying a selected device," of claim 1 has been objected for failing to be shown on the drawing. Applicants respectfully note that the USPTO issues thousands of patents each year without any drawings, particularly in the chemical and biotechnology arts. 37 C.F.R. 1.83(a) is not a requirement that every claimed feature *must, according to federal regulation*, be shown. The claimed features need to be shown in a drawing *to the extent necessary for an artisan to understand their relationship to other elements*, and it is not an *ipso facto requirement* that all elements must be illustrated if claimed. As stated in the

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specification at page 5, lines 5-8, "the control logic of the system provides a selector means for identifying a selected device of the system to be controlled by user operation of the remote control", Applicants believe that the addition of a box labeled "selector means" in the figure would not be required to aid an artisan in understanding of the claimed invention.

Claims 1-3 and 5-7 stand rejected under 35 USC 102(b) in view of Ikezaki US Patent No. 5,367,316.

Applicants respectfully submit that the pending claims are patentable for at least the following reasons.

Ikezaki, as read by the applicants, relates to a remote-control apparatus for operating a plurality of audio visual apparatuses. A plurality of icons (See FIG. 4) showing functions and operation modes of various audio visual apparatuses is displayed so that a desired one of the electronic apparatuses is elected via a cursor, then the corresponding function icons are shown to the user on the display to operate the elected electronic apparatus.

In contrast, the present invention identifies a desired device out of a plurality of electronic devices connected to a system and controls the desired device using a remote controller. In particular, when the desired device can not be controlled using the existing remote controller due to missing function buttons thereon, the missing function control buttons are displayed on a display so that the user can actuate the desired function, as recited in claim 1, wherein "selector means for identifying a selected device of the system to be controlled by user operation of said remote control device; and virtual control means to determine which operational functions

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(H.L.) of said selected device do not have a corresponding control on said remote control device, and generate on said display device a user actuatable simulacrum of a control means for each such operational function.”

Accordingly, it is respectfully submitted that claim 1 is not anticipated by Ikezaki.

Therefore, it is respectfully submitted that none of the present claims are anticipated by Ikezaki. In order for a reference to anticipate a claim, the reference must disclose all of the elements recited by the rejected claims.

The Court of Appeals held in *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628,631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) that:

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.

Accordingly, reconsideration and withdrawal of this ground of rejection are respectfully requested.

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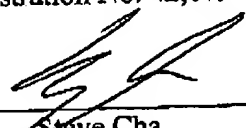
For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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